

Attorney Docket No.: **DMBC-0003**
Inventors: **Harry C. Morris**
Serial No.: **09/768,710**
Filing Date: **January 24, 2001**
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point out and distinctly claim the subject matter regarded as the invention. It is suggested that the Markush group of claim 5 should be constructed as "comprising a composition selected from the group consisting of". The Examiner further suggests that it is unclear what compositions constitute stainless alloys. Further, the Examiner suggests that the use of "monel" is indefinite as the formula or product characteristics may change. Applicant respectfully disagrees.

MPEP § 2173.02 is quite clear; definiteness of claim language must be analyzed, not in a vacuum, but in light of the content of the particular application; the teachings of the prior art; and the claim interpretation that would be given by one possessing the ordinary level of skill in the pertinent art at the time the invention was made.

In an earnest attempt to facilitate prosecution, claim 5 has been amended to remove the term monel and stainless alloys. Applicant has not further amended claim 5 to include the suggested Markush group language, as Applicant believes that claim 5 is clear, distinctly claims the subject matter of the invention and is properly drafted.

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Reconsideration and withdrawal of this rejection is respectfully requested.

II. Rejection of Claims Under 35 U.S.C. §102

Claims 1-5 and 7-10 are rejected under 35 U.S.C. §102 as being anticipated by Japanese publication 4-12853. It is suggested that Japanese publication 4-12853 discloses a doctor blade for squeezing ink on a printing plate comprising a steel blade covered with a hard chromium plating layer.

Claims 1-10 are rejected under 35 U.S.C. §102 as being anticipated by Japanese publication 63-25038, which is suggested to disclose a doctor blade adapted to an ink supply apparatus comprising a steel blade covered with a hard chromium plating layer.

Claims 1-10 are rejected under 35 U.S.C. §102 as being anticipated by Japanese publication 3-64595, which is suggested to disclose a blade for printing coating paper comprising a steel blade covered with a chromium electroplated layer.

Claims 1-6 and 8-10 are rejected under 35 U.S.C. §102 as being anticipated by Japanese publication 06-257095, which is

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suggested to disclose a doctor blade for a paper machine comprising a steel blade covered with a chromium plating layer.

Claims 1-10 are rejected under 35 U.S.C. §102 as being anticipated by Lundbye (U.S. Patent 2,361,554), which is suggested to disclose a doctor blade for printing comprising a steel blade covered with a chromium plating layer.

Claims 1-6 and 8-9 are rejected under 35 U.S.C. §102 as being anticipated by Carlsen, U.S. Patent 2,404,689, which is suggested to disclose a doctor blade for printing comprising a steel blade covered with a chromium plating layer.

Claims 1-6 and 8-9 are rejected under 35 U.S.C. §102 as being anticipated by Stalmuke, which is suggested to disclose a blade coater for the paper industry comprising a steel blade covered with a cadmium plating layer.

Claims 1-10 are rejected under 35 U.S.C. §102 as being anticipated by Lindblad (U.S. Patent 4,970,560) which is suggested to disclose a cleaning blade for electrophotographic processes comprising a steel blade covered with a chromium plating layer.

Claims 1-6 and 8-10 are rejected under 35 U.S.C. §102 as being anticipated by Nomura (U.S. Patent 6,059,881), which is

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suggested to disclose a coater blade for coating processes comprising a steel blade covered with a chromium plating layer.

A general level of operability is required in a reference to establish a *prima facie* case of obviousness or anticipation. See MPEP § 2121. In accordance with MPEP § 2121.01, the test in determining that quantum of prior art disclosure which is necessary to declare an applicant's invention "not novel" or "anticipated" within section 102, is whether a reference contains an "enabling disclosure". *In re Hoeksema*, 399 F.2d 269 (CCPA 1968). A reference contains an "enabling disclosure" if the public was in possession of the claimed invention before the date of invention. In an earnest effort to advance the prosecution of this case, claim 1 has been amended to clarify that the blade shaped substrate base is coiled. None of the prior art of record teach a blade shaped substrate base which is coiled. Support for this amendment may be found throughout the specification and specifically at pages 4, lines 18-20. Withdrawal of this rejection is respectfully requested in light of the amendment to claim 3.

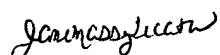
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III. Conclusion

Applicant believes that the foregoing comprises a full and complete response to the Office Action of record. Accordingly, favorable reconsideration and subsequent allowance of the pending claims is earnestly solicited.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version with Markings to Show Changes Made".

Respectfully submitted,



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MARKED UP VERSION TO SHOW CHANGES MADE

In the claims:

Claims 1 and 5 have been amended as follows:

1. (Amended) A friction resistant blade comprising a blade shaped substrate base with an edge and a protective layer applied to said blade shaped substrate wherein the substrate base is coiled.

5. (Amended) The friction resistant blade of claim 1 wherein the blade-shaped substrate base comprises carbon strip steel, stainless steel, ~~stainless alloy, or bronze or monel.~~

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